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Telephone: 503-595-5300 • www.klarquist.com

Facsimile: 503-595-5301

## FAX TRANSMITTAL

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**DATE:** September 20, 2006

**TO:** U.S. Patent and Trademark Office  
Certificates of Correction Branch

**FAX PHONE NO.:** (703) 308-6672

**FROM:** Sheree Lynn Rybak, Ph.D.

**RE:** U.S. Patent No. PP13,819 issued May 13, 2003  
For APPLE TREE NAMED 'CO-OP 29'

**OUR FILE:** 6551-61555-01

**NO. OF PAGES** 19 (including this cover page)

**CONTACT INFO:** If you do not receive all pages or if you have problems receiving transmittal, please call us at (503) 595-5300 as soon as possible and ask for Deborah Martin.

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**MESSAGE:** Please see the attached Request to Correct Inventorship Under 37 C.F.R. § 1.324(a) (including a Transmittal Letter and supporting documentation) as submitted to the PTO on February 8, 2006 for the above matter. Also attached is a copy of the return postcard date stamped by the PTO on February 10, 2006. To date, the undersigned has not received a Certificate of Correction. This submission is being faxed at the direction of Mr. Lewis in the Certificates of Correction Branch.

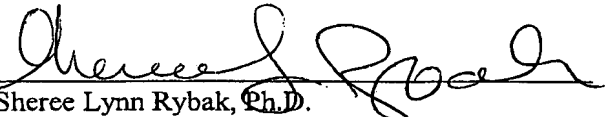
If any issues remain before the inventorship can be corrected, please a telephone call to the undersigned is requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By

  
Sheree Lynn Rybak, Ph.D.

Registration No. 47,913

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.

ATTORNEY REF. NO. 6551401555-01

ATTY/SEC SLK/dm

INVENTOR(S): Janick et al.

APPLICATION NO: 10/032,052

FILING DATE: 12/21/2001

PATENT NO: PP13,819

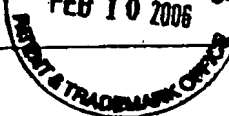
ISSUE DATE: 5/13/2003

The following, due -, mailed 2/8/2006.

by First Class Mail, was received in the U.S. Patent and Trademark Office on the date stamped hereon:

- ☒ Request to Correct Inventorship Under 37 C.F.R. § 1.324(a).
- ☒ 2 Statements of Person Being Added Under 37 C.F.R. 1.324(b)(1) signed by (1) Joseph C. Goffreda and (2) Schuyler S. Korman.
- ☒ 2 Statements of Named Inventors Under 37 C.F.R. 1.324(b)(2) signed by (1) Jules Janick and (2) Edwin B. Williams.
- ☒ 3 Statements of Assignees Under 37 C.F.R. 1.324(b)(3) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by (1) Purdue Research Foundation, (2) Rutgers, The State University of New Jersey, and (3) The Board of Trustees of the University of Pennsylvania.
- ☒ A check in the amount of \$130.00 to cover the fee required under 37 C.F.R. 1.324(b)(4).
- ☒ Transmittal Letter + ☒ 1 copy.
- ☒ Deposit Acct. 02-4550 Authority.

FEB 10 2006



SLR:dm 2/7/06 6551-61555-01 484082 61003.00.US TF01051

PATENT

Attorney Reference Number 6551-61555-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re patent of:** Janick et al.**Patent No.** PP13,819**Issued:** May 13, 2003**Confirmation No.** 5164**For:** APPLE TREE NAMED 'CO-OP 29'**Examiner:** Susan B. McCormick**Art Unit:** 1661**Attorney Reference No.** 6551-61555-01**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent  
for Applicant(s)Date Mailed February 8, 2006

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the application referenced above are the following:

- ☒ Request to Correct Inventorship Under 37 C.F.R. § 1.324(a).
- ☒ Statement of Person Being Added Under 37 C.F.R. 1.324(b)(1) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Joseph C. Goffreda.
- ☒ Statement of Person Being Added Under 37 C.F.R. 1.324(b)(1) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Schuyler S. Korban.
- ☒ Statement of Named Inventors Under 37 C.F.R. 1.324(b)(2) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Jules Janick.
- ☒ Statement of Named Inventors Under 37 C.F.R. 1.324(b)(2) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Edwin B. Williams.
- ☒ Statement of Assignees Under 37 C.F.R. 1.324(b)(3) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Purdue Research Foundation.

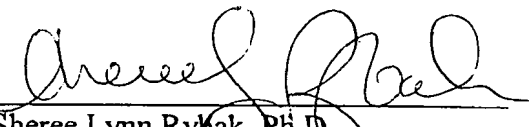
SLR:dm 2/7/06 6551-61555-01 484082 61003.00.US TF01051

PATENT  
Attorney Reference Number 6551-61555-01

- ☒ Statement of Assignees Under 37 C.F.R. 1.324(b)(3) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by Rutgers, the State University of New Jersey.
- ☒ Statement of Assignees Under 37 C.F.R. 1.324(b)(3) Pursuant to Correction of Inventorship in Patent Under 35 U.S.C. 256 signed by The Board of Trustees of the University of Illinois.
- ☒ A check in the amount of \$130.00 to cover the fee required under 37 C.F.R. § 1.324(b)(4) and set forth in 37 C.F.R. § 1.20(b).
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Sheree Lynn Rybak, Ph.D.  
Registration No. 47,913

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing

SLR:dm 02/07/06 484076 61003.06 TF01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re patent of:** Janick et al.

**Patent No.** PP13,819

**Issued:** May 13, 2003

**Application No.** 10/032,052

**Filed:** December 21, 2001

**Confirmation No.** 5164

**For:** APPLE TREE NAMED 'CO-OP 29'

**Examiner:** Susan B. McCormick

**Art Unit:** 1661

**Attorney Reference No.** 6551-61555-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent  
for Applicant(s)

Date Mailed February 8, 2006

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.324(a)**

Applicants hereby request the Commissioner to correct the inventorship of the above patent by adding Joseph C. Goffreda and Schuyler S. Korban, who were omitted as inventors through error and without any deceptive intention. Included herewith are:

1. A statement as required by 37 C.F.R. § 1.324(b)(1) by Joseph C. Goffreda that omission of his name occurred without deceptive intention on his part;
2. A statement as required by 37 C.F.R. § 1.324(b)(1) by Schuyler S. Korban that omission of his name occurred without deceptive intention on his part;
3. A statement as required by 37 C.F.R. § 1.324(b)(2) by Jules Janick and Edwin B. Williams agreeing to the change of inventorship;
4. A statement as required by 37 C.F.R. § 1.324(b)(3) of the Assignee, Purdue Research Foundation, agreeing to the change of inventorship;

SLR:dml 02/07/06 484076 61003.0 TF01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

5. A statement as required by 37 C.F.R. § 1.324(b)(3) of the Assignee, Rutgers, The State University of New Jersey, agreeing to the change of inventorship;
6. A statement as required by 37 C.F.R. § 1.324(b)(3) of the Assignee, The Board of Trustees of the University of Pennsylvania, agreeing to the change of inventorship; and
7. A check in the amount of \$130 in payment of the fee required under 37 C.F.R. § 1.324(b)(4) and set forth in 37 C.F.R. § 1.20(b).

Applicants respectfully submit that the requirements of 37 C.F.R. § 1.324(a) for amending the inventorship of the present application have been satisfied, and request favorable consideration of this petition.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Sheree Lynn Rybak, Ph.D.  
Registration No. 47,913

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 228-9446

DPP:SLR:dm 12/05/05 459377 0.00 US TFO1051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Janick et al.

PATENT No: PP13,819

Issued: May 13, 2003

For: APPLE TREE NAMED 'CO-OP 29'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**STATEMENT OF PERSON BEING ADDED UNDER 37 C.F.R. 1.324(b)(1) PURSUANT  
TO CORRECTION OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256**

1. I, Joseph C. Goffreda, am being added as a co-inventor of the above-referenced patent.
2. The inventorship error occurred without any deceptive intention on my part.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: January 18, 2006

By: Joseph C. Goffreda  
Joseph C. Goffreda

DPP:SLJ:dm 12/21/05 459380.doc 61003.00,US TF01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Janick et al.

PATENT No: PP13,819

Issued: May 13, 2003

For: APPLE TREE NAMED 'CO-OP 29'

Examiner: Susan B. McCormick

Art Unit: 1661


Attorney Reference No. 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**STATEMENT OF PERSON BEING ADDED UNDER 37 C.F.R. 1.324(b)(1) PURSUANT  
TO CORRECTION OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256**

1. I, Schuyler S. Korban, am being added as a co-inventor of the above-referenced patent.
2. The inventorship error occurred without any deceptive intention on my part.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: 12/21/05

By:   
Schuyler S. Korban



DPP:SLR:dm 12/05/05 459381.doc 61003.00.US TT01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re patent of:** Janick et al.

**PATENT No:** PP13,819

**Issued:** May 13, 2003

**For:** APPLE TREE NAMED 'CO-OP 29'

**Examiner:** Susan B. McCormick

**Art Unit:** 1661

**Attorney Reference No.** 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**STATEMENT OF NAMED INVENTORS UNDER 37 C.F.R. 1.324(b)(2) PURSUANT TO  
CORRECTION OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256**

1. We, Jules Janick and Edwin B. Williams, are the current named inventors of the above-referenced patent.

2. We, Jules Janick and Edwin B. Williams, agree to the change of inventorship, to include co-inventors Joseph C. Goffreda and Schuyler S. Korban.

3. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: Jan 26, 2006

By: Jules Janick

Jules Janick

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Edwin B. Williams

DPP:SLR:dm 12/05/05 459381.doc 61003.00.US TF01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re patent of:** Janick et al.

**PATENT No:** PP13,819

**Issued:** May 13, 2003

**For:** APPLE TREE NAMED 'CO-OP 29'

**Examiner:** Susan B. McCormick

**Art Unit:** 1661

**Attorney Reference No.** 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**STATEMENT OF NAMED INVENTORS UNDER 37 C.F.R. 1.324(b)(2) PURSUANT TO  
CORRECTION OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256**

1. We, Jules Janick and Edwin B. Williams, are the current named inventors of the above-referenced patent.
2. We, Jules Janick and Edwin B. Williams, agree to the change of inventorship, to include co-inventors Joseph C. Goffreda and Schuyler S. Korban.
3. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Jules Janick

Dated: January 6, 2006

By: Edwin B. Williams  
Edwin B. Williams

IPP-SLR:dm 02/01/06 450379 doc 61003 00 US TT01051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Janick et al.

PATENT No: PP13,819

Issued: May 13, 2003

For: APPLE TREE NAMED 'CO-OP 29'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

STATEMENT OF ASSIGNEES UNDER 37 C.F.R. 1.324(b)(3) PURSUANT TO  
CORRECTION OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256

1. We, PURDUE RESEARCH FOUNDATION, are a co-assignee of the above-referenced patent.

2. Evidence of our co-ownership in this patent is evidenced by the Assignment attached hereto as Exhibit A, which was recorded by the United States Patent and Trademark Office (PTO) on December 21, 2001, Reel 012442, Frames 0554-0557.

3. We agree to a change of inventorship in the above-referenced patent, to further include Joseph C. Goffreda and Schuyler S. Korban.

4. We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Executed on February 3, 2006, at West Lafayette, Indiana.

PURDUE RESEARCH FOUNDATION



Name: Bruce L. Pershing  
For: Purdue Research Foundation

Office of Technology Commercialization  
3000 Kent Avenue  
West Lafayette, IN 47906  
Telephone: (765) 494-8645

DPP/jab 12/05/01 6551-61555

## A S S I G N M E N T

WHEREAS, We, Jules Janick, of West Lafayette, County of Tippecanoe, State of Indiana, and Edwin B. Williams, of Lafayette, County of Tippecanoe, State of Indiana, have invented a certain invention, entitled APPLE TREE NAMED 'Co-op 29', for which we are making application for Letters Patent of the United States, said application having been executed by each of us the same day as set forth next to our respective signatures below; and

WHEREAS, Purdue Research Foundation, a corporation organized under the laws of the State of Indiana, having a place of business at Purdue Univeristy, 1291 Cumberland Avenue, West Lafayette, Indiana 47906, is desires to acquire an interest therein:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, Jules Janick and Edwin B. Williams, hereby sell, assign and transfer to Purdue Research Foundation, the full and exclusive right, title and interest in and to said invention, patent application and patent rights throughout the world, including foreign patent priority rights and foreign Plant Breeders Rights, the right to file and prosecute International Applications, including under the Patent Cooperation Treaty, the right to file and prosecute applications under the European Patent Convention, and the right to file and prosecute applications under the International Union for the Protection of New Varieties (UPOV) and the European Community Plant Variety Office (CVPO); said invention, application, letters patent and varieties protection in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by Purdue Research Foundation, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that I have full right so to

DPP/Jab 12/05/01 6551-61555

do, and agree that I will communicate to Purdue Research Foundation, or its successors and assigns, any facts known to me respecting said invention, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid Purdue Research Foundation, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

We hereby grant the law firm of Klarquist Sparkman Campbell Leigh & Whinston, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

Signed: Jules Janick

Jules Janick

Date: Dec. 12, 2001

STATE OF INDIANA )

COUNTY OF Tippecanoe )

ss.

This 12 day of December, 2001, before me personally came the above-named Jules Janick, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Colleen K. Martin

Notary Public For Indiana - Print Name

My commission

expires: 4-17-2008

[SEAL]

Colleen K. Martin  
Notary Public State of Indiana  
Clinton County  
My Commission Exp. April 17, 2008

DPP/jab 12/03/01 6551-61555

Signed: Edwin B. Williams  
Edwin B. WilliamsDate: Dec. 11, 2001STATE OF INDIANA )  
 )  
COUNTY OF Tippecanoe ) ss.

This 11<sup>th</sup> day of December, 2001, before me personally came the above-named Edwin B. Williams, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

COURTNEY A HEDGE  
NOTARY PUBLIC STATE OF INDIANA  
BOONE COUNTY  
MY COMMISSION EXP. AUG. 17, 2009

Courtney A. Hedge  
Notary Public For Indiana - Print Name  
Courtney A. Hedge

My commission  
expires: AUGUST 17, 2009

[SEAL]

DPP:SR:dm 02/01/06 459382 6106 US 1101051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Janick et al.

PATENT No: PP13,819

Issued: May 13, 2003

For: APPLE TREE NAMED 'CO-OP 29'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6551-61555-01

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

STATEMENT OF ASSIGNEES UNDER 37 C.F.R. 1.324(b)(3) PURSUANT TO CORRECTION  
OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256

1. We, RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY, are a co-assignee of the above-referenced patent.

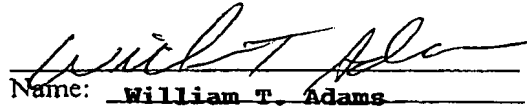
2. Evidence of our co-ownership in this patent is evidenced by the Assignment attached hereto as Exhibit A, which was recorded by the United States Patent and Trademark Office (PTO) on December 6, 2005, Reel 017089, Frames 0307-0309.

3. We agree to a change of inventorship in the above-referenced patent, to further include Joseph C. Goffreda and Schuyler S. Korban.

4. We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Executed on 2-2-06, at New Brunswick, New Jersey.

RUTGERS, THE STATE UNIVERSITY  
OF NEW JERSEY

  
Name: William T. Adams  
For: Office of Corporate Liaison and  
Technology Transfer

CJ  
Cook College  
Martin Hall, Room 111  
88 Lipman Drive  
New Brunswick, NJ 08901  
Telephone: (732) 932-1000

SLR.dlm 11/28/05 6551-61555-01 456635 61003.00,US

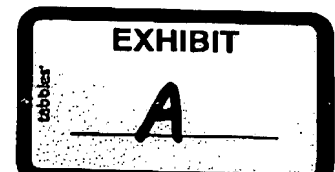
## ASSIGNMENT

WHEREAS, I, **Joseph C. Goffreda**, of Millstone Township, County of Monmouth, State of New Jersey, have invented with Jules Janick, of West Lafayette, County of Tippecanoe, State of Indiana, Edwin B. Williams, of Lafayette, County of Tippecanoe, State of Indiana, and Schuyler S. Korban, of Champaign, County of Champaign, State of Illinois, a certain invention entitled APPLE TREE NAMED 'CO-OP 29', for which Letters Patent of the United States issued on May 13, 2003 as U.S. Patent No. PP13,819; and

WHEREAS, **Rutgers, The State University of New Jersey**, of Old Queens, Somerset Street, New Brunswick, NJ 08903, is desirous of acquiring my entire right, title, and interest in and to the said invention and improvements in and to the said application and to any patent application(s) corresponding thereto and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the receipt of One Dollar (\$1.00) from Joseph C. Goffreda to Rutgers, The State University of New Jersey, the receipt of which is hereby acknowledged, I, Joseph C. Goffreda, hereby sell, assign and transfer to Rutgers, The State University of New Jersey, my full and exclusive right, title and interest in and to said invention, patent application and patent rights throughout the world, including foreign patent priority rights, the right to file and prosecute International Applications under the Patent Cooperation Treaty, and the right to file and prosecute applications under the European Patent Convention; said invention, application and letters patent in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by Rutgers, The State University of New Jersey, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that I have full right so to do, and agree that I will communicate to Rutgers, The State University of New Jersey, or its successors and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all

Assignment: Page 1 of 2





SLR:dm 11/28/05 6551-61555-01 456635 61003.00.118

divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid Rutgers, The State University of New Jersey, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

I hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information which may be necessary in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on any applications as aforesaid, to issue to Rutgers, The State University of New Jersey, as assignee of the entire right, title, and interest, any and all Letters Patent for said invention or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of any corresponding patent application(s) aforesaid, in accordance with the terms of this assignment.

Executed at the place and date opposite my signature below.

At NEW BRUNSWICK, N.J.

(City and State)

on this 30 day of November, 2005.

STATE OF N.J. )

) ss.

COUNTY OF MIDDLESEX )

Joseph C. Goffreda  
Joseph C. Goffreda

This 30 day of November, 2005, before me personally came the above-named Joseph C. Goffreda, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Patricia Byrd

Notary Public For N.J.

My commission expires: 8-22-07

[SEAL]

DPP:SLR:dm 02/01/06 459378 61003.00US 1101051  
PATENT

Attorney Reference Number 6551-61555-01  
Application Number 10/032,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Janick et al.

PATENT No: PP13,819

Issued: May 13, 2003

For: APPLE TREE NAMED 'CO-OP 29'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6551-61555-01

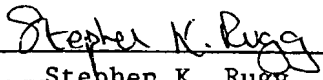
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

STATEMENT OF ASSIGNEES UNDER 37 C.F.R. 1.324(b)(3) PURSUANT TO CORRECTION  
OF INVENTORSHIP IN PATENT UNDER 35 U.S.C. 256

1. We, THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS, are a co-assignee of the above-referenced patent.
2. Evidence of our co-ownership in this patent is evidenced by the Assignment attached hereto as Exhibit A, which was recorded by the United States Patent and Trademark Office (PTO) on December 7, 2005, Reel 017097, Frames 0529-0530.
3. We agree to a change of inventorship in the above-referenced patent, to further include Joseph C. Goffreda and Schuyler S. Korban.
4. We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Executed on 2-1-06, at Urbana, Illinois.

THE BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ILLINOIS

  
Name: Stephen K. Rugg  
For: The Board of Trustees of the  
University of Illinois  
506 South Wright Street  
Urbana, IL 61801  
Telephone: (217) 333-1920

UIUC File No. TF01051

## ASSIGNMENT

WHEREAS, I, Schuyler S. Korban of 3405 Pinegrove Place, Champaign, Illinois 61822, hereinafter referred to as Assignors, have invented as joint inventors with Jules Janick, Edwin B. Williams, and Joseph Goffreda a certain invention entitled APPLE TREE 'CO-OP 29' filed on December 21, 2001, assigned Application Serial No. 10/032,052, and issued on May 13, 2003 as PP13,819 and

WHEREAS, THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS, a body corporate and politic of the State of Illinois, having its principal place of business in 506 South Wright Street, Urbana, IL, 61801, hereinafter called the Assignee, is desirous of acquiring or confirming its acquisition of our entire rights, titles and interests in, to and under said invention and in, to and under said Letters Patent or similar legal protection to be obtained therefore in the United States and in any and all foreign countries.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION FROM THE ASSIGNEE, receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto the Assignee, its successors and assigns, our entire rights, titles and interests in, to and under said applications for Letters Patent of the United States, including all priority rights ensuing therefrom, and the inventions and any of them therein set forth and described, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor, together with the right to apply for such Letters Patent.

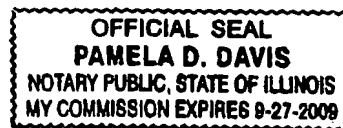
AND FOR THE ABOVE CONSIDERATION, I agree promptly upon request of the Assignee, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, divisional, continuation, or reissue, or other papers which may be necessary or desirable fully to secure to the Assignee, its successors and assigns, the inventions and any of them described in said applications and all patent rights therein, in the United States and in any country foreign thereto.

IN WITNESS WHEREOF, I, Schuyler S. Korban hereunto set my hand and seal this 6 day of December 2005.

  
Schuyler S. Korban

State of Illinois  
County of Champaign

)  
) ss.  
)



Before me this 6 day of December, 2005, personally appeared Schuyler S. Korban, who is to me known, and acknowledged the foregoing instrument of assignment to be his free act and deed.

  
Notary Public

